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TO: COMMISSIONER FOR PATENTS

FROM: DAVID WEITZ

General Counsel & V.P. of I.P.

FAX NUMBER: (703) 872-9306

DATE: OCTOBER 21, 2005

COMPANY: U.S. PATENT AND TRADEMARK OFFICE

TOTAL NO. OF PAGES INCLUDING COVER: 4

PHONE NUMBER:

SENDER'S PHONE NUMBER:

(858) 731-3508

RE: U.S. APPLICATION SER. NO. 10/681,049

SENDER'S FAX NUMBER:

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NOTES/COMMENTS:

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| | | | |
|--|----------------------|-------------------------|-----------------|
| TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small> | Application Number | 10/681,049 | |
| | Filing Date | October 7, 2003 | |
| | First Named Inventor | Jerome C. Bressi et al. | |
| | Art Unit | 1621 | |
| | Examiner Name | Brian J. Davis | |
| Total Number of Pages in This Submission | 3 | Attorney Docket Number | SYR-HDAC-5002-U |

| ENCLOSURES <small>(check all that apply)</small> | | | | |
|--|---|---|----------------|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) <small>(please identify below):</small> | | |
| <table border="1" style="width: 100%;"> <tr> <td style="width: 20%;">Remarks</td> <td>Although Applicants do not believe any fees are required, the Commissioner is authorized to charge any fees required by the filing of these papers to Takeda San Diego's Deposit Account No. 50-2256.</td> </tr> </table> | | | Remarks | Although Applicants do not believe any fees are required, the Commissioner is authorized to charge any fees required by the filing of these papers to Takeda San Diego's Deposit Account No. 50-2256. |
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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|------------------------|
| Firm or Individual name | Takeda San Diego, Inc. |
| Signature | David J. Weitz |
| Date | October 21, 2005 |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
|--|-----------------------|------|------------------|
| I hereby certify that this correspondence is being facsimile transmitted (703) 872-9306 to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Type or printed | Jennifer L. Sammartin | | |
| Signature | | Date | October 21, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. Application Serial No. 10/681,049

Docket No. SYR-HDAC-5002-U

Communication in response to request for election mailed September 23, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
)
Jerome C. Bressi *et al.*) Group Art Unit: 1621
)
Application No.: 10/681,049) Examiner: Davis, Brian J.
)
Filed: October 7, 2003)
)
Title: Histone Deacetylase Inhibitors)

COMMUNICATION

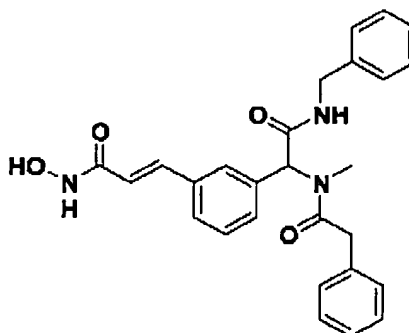
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Sir:

This communication is submitted in response to the Examiner's request for an election of a single chemical species, mailed September 23, 2005.

Applicants respectfully select the compound that appears at page 79 as Compound 9 as the single chemical species:



U.S. Application Serial No. 10/681,049

Docket No. SYR-HDAC-5002-U

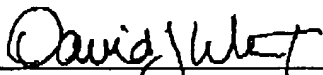
Communication in response to request for election mailed September 23, 2005

Should the Examiner have any questions, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,

Takeda San Diego, Inc.

Dated: October 21, 2005

By: 
David J. Weitz, General Counsel
& V. P. of Intellectual Property
Reg. No. 38,362

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